IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

AND
THE HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT PETITION No.15187 of 2004

Between:

1.Jangam Naresh, S/o. Rajaiah,
R/o. Narsingapur Village, Jagityal Mandal,
Karimnagar District.
2.A. Surendra Rao, S/o. Laxminarayana Rao,
Mothil Village, Jagityal Mandal, Karimnagar District.

..... PETITIONERS

AND

1.The District Collector, Karimnagar District, Karimnagar.
2.The Project Director, D.W.M.A., Karimnagar.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not releasing the sanctioned funds and food grains and disbursement of the same in accordance with the proceedings in Plg.I.83.04 dt.30th January 2004 by the respondent No.1 as arbitrary, illegal, vioaltive of Article 14 of the Constitution of India and consequently direct the respondent authorities to release the food grains and the amounts as per the proceedings of the respondent No.1 Plg.I.83.04 dt.30th January 2004.

Counsel for the Petitioner: Mr.S.ASHOK REDDY

Counsel for the Respondents : G.P. FOR PANCHAYAT RAJ &

RURAL DEVELOPMENT.

The Court at the admission stage made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

The writ petition is filed in public interest by two Sarpanchas of Jagityal Mandal, Karimnagar District, seeking a direction against the respondents for releasing the sanctioned funds and food grains and for its disbursement in accordance with the proceedings issued by first respondent.

The writ petition was filed on 24th August 2004. Affidavit in reply has been filed by C.Parthasarathi, Collector & District Magsitrate, Karimnagar, stating that as per the instructions of the Deputy Secretary (M.P.LADS), New Delhi, all 326 works sanctioned vide proceedings dated 30th January 2004 were cancelled through proceedings dated 14th May 2004 by first respondent. Proceedings dated 30th January 2004 were not issued and were not despatched to any executing agency or to the Project Director. Even the Mandal Parishad Development Officer, Jagityal has not received such order and has not given any work order to execute such works. As such, though work order was earlier issued, it was not despatched and no works were allotted therein, and when subsequently order dated 30th January 2004 had been cancelled, no direction as prayed can be issued in this writ petition filed as public interest litigation.

The writ petition is dismissed.

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(DEVINDER GUPTA, C.J.)

25th November 2004.

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(M. NARAYANA REDDY, J.)

ARS

To

1.The District Collector, Karimnagar District, Karimnagar.
2.The Project Director, D.W.M.A., Karimnagar.

3. Two CCs to Govt. Pleader for Panchayat Raj & Rural Development, High Court Bldgs., Hyderabad (OUT).

4. Two CD copies..